IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 2ND NOVEMBER 2006 / 11TH KARTHIKA 1928

Bail Appl..No. 6380 of 2006

CRIME NO.442/2006 OF PANDALAM POLICE STATION

PETITIONER/ACCUSED

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1. G.PRIRTHVIPAL, AGED 28 YEARS,
   S/O.GOPALAKRISHNA KURUP, VILACKATTUKOYIKKAL HOUSE,
   PANANGAD P.O., KULANADA, PATHANAMTHITTA DISTRICT.

2. MONAI @ SUNILKUMAR, AGED 24 YEARS,
   S/O.GOPALAKRISHNAN NAIR, S.S.NIVAS,
   PANANGAD P.O., KULANADA, PATHANAMTHITTA DISTRICT.

3. GOPALAKRISHNAN KURUP, AGED 68 YEARS,
   S/O.NAYARAYANA PILLAI, VILACKATTUKOYIKKAL
   HOUSE, PANANGAD P.O., KULANADA,
   PATHANAMTHITTA DISTRICT.

BY ADV. SRI.K.R.RADHAKRISHNAN NAIR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
CIRCLE INSPECTOR OF POLICE, PANDALAM POLICE
STATION, PATHANAMTHITTA DISTRICT,
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6380/2006

DATED THIS THE 2ND DAY OF NOVEMBER, 2006

O R D E R

The petitioners are accused of the offence punishable under Sections 143, 147, 148, 294(b), 332, 324, 427, 506(ii) and 307 IPC read with Section 149 IPC.

2. The prosecution submits that eight persons had sustained serious injuries at the hands of the petitioners and twelve other persons, who could be identified on site. Therefore, granting of a pre-arrest order is opposed by the prosecution.

3. The learned counsel for the petitioners submits that the third petitioner, a 68 year old person, was admitted in the hospital. But the counsel could not produce any documents to show that the third petitioner had sustained any serious injuries in the incident.

4. After hearing both sides and considering the facts that are placed before me, I direct the petitioners to surrender before the Investigating Officer, who is

investigating crime No.442/2006 of Pandalam Police Station, on 8.11.2006 at 10.00 a.m.

5. The Investigating Officer shall interrogate the petitioners and thereafter, produce them before the Court below, as per the law.

6. The learned Magistrate, on production of the accused, shall hear both sides and pass appropriate orders on merit, on the same day itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs